

Appl. No. : 10/762,843
Filed : January 21, 2004

IN THE CLAIMS:

1. - 9. (Cancelled)

10. (Original)

A writing implement comprising an elongate, generally cylindrical housing having a first end and a second end, said housing defining an interior area, said housing comprising a substantially translucent material, said second end of said housing and said interior closed, said implement including a tip configured to dispense writing material stored in a well, said well containing writing material extending from said tip into said interior area of said housing, said implement including a plurality of solid ornamental elements substantially filling said interior area between said first end and second end of said housing between an exterior of said well and an interior of said housing, whereby said solid elements generally obscure said well within said housing.

11. (Original)

The writing implement in accordance with Claim 10 wherein said ornamental elements comprise balls having a diameter in the range of about .03125 - .125 inches.

12. (Original)

The writing implement in accordance with Claim 10 wherein said writing material comprises ink.

Appl. No. : 10/762,843
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13. (Original)

The writing implement in accordance with Claim 10 wherein said ornamental elements have a size which is a fraction of a distance between said interior of said housing and said exterior of said well, so that a plurality of said ornamental elements may be layered between said interior of said housing and said exterior of said well.

14. (Original)

The writing implement in accordance with Claim 13 wherein said ornamental elements have a size in relation to said distance between said interior of said housing and said exterior of said well that at least three ornamented elements fit within said distance.

15. (New)

The writing implement in accordance with Claim 10 wherein said ornamental ornaments are contained within, but not connected to, said housing, whereby a position of said ornamental elements may change relative to said housing.

16. (New)

The writing implement in accordance with Claim 15 wherein said ornamental elements may move relative to one another and said housing in response to movement of said housing.

Appl. No. : 10/762,843
Filed : January 21, 2004

17. (New)

The writing implement in accordance with Claim 10 wherein said tip extends from said first end of said housing and closes said housing at said first end, and wherein said ornamental elements are located in said interior space between said tip and said second end of said housing.

18. (New)

The writing implement in accordance with Claim 10 wherein said housing comprises a single wall having an exterior and an interior and said interior space is defined by said wall.